



**STATE OF MONTANA
DEPARTMENT OF CORRECTIONS
POLICY DIRECTIVE**

Policy No. DOC 3.1.31	Subject: FIREARMS
Chapter 3: FACILITY/PROGRAM OPERATIONS	Page 1 of 2
Section 1: Security and Control for Secure Facilities	Effective Date: June 1, 1998
Signature: /s/ Mike Ferriter, Director	Revision Dates: 01/07/99; 06/06/02; 07/18/06

I. POLICY

The Department of Corrections divisions and facilities will establish standards and procedures for the lawful and judicious use of firearms.

II. APPLICABILITY

All Department division and facility personnel whose responsibilities include carrying a firearm.

III. REFERENCES

- A. 45-3-101, 45-3-102, 45-3-106; *Montana Code Annotated*
- B. 4-4204, 4-4205; *ACA Standards for Adult Correctional Institutions, 4th Edition*
- C. 3-3087 through 3-3092; *Standards for Adult Probation & Parole Field Services, 3rd Edition*
- D. *DOC Policies 1.1.6, Incident Reporting & Duty Officer System; 1.4.3, Training Standards, Requirements, Methods, and Records; 3.1.7, Emergency Equipment and Armory Operations; 3.1.8, Use of Force and Restraints; and 3.1.19, Investigations.*

IV. DEFINITIONS

Administrator – The official, regardless of local title (division or facility administrator, bureau chief, warden, superintendent) ultimately responsible for the division, facility, or program operation and management.

Lethal Force – Force that may reasonably be expected to cause serious injury or death.

V. DEPARTMENT DIRECTIVES

A. Required Procedures

1. Each division and facility will have operational procedures that govern the access, issue, storage, maintenance, and procurement of firearms in accordance with *DOC Policy 3.1.7, Emergency Equipment and Armory Operations*.
2. Each division and facility will have operational procedures that govern the training and use of firearms in accordance with the provisions of this policy; *DOC Policy 1.4.3, Training Standards, Requirements, Methods, and Records*; and *DOC Policy 3.1.8, Use of Force and Restraints*.
3. Each division and facility must have written procedures that address the following:

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- a. stringent firearms regulations and inspections;
- b. training practices to include the safe unloading and reloading of firearms;
- c. except in emergency situations, assigning employees to carry firearms only in specific positions that are inaccessible to offenders (see Section B);
- d. requiring firearms security for employees who supervise offenders outside the facility perimeter; and
- e. ensuring that employees are instructed to use lethal force only after other actions have been tried and found ineffective, unless the employee believes that a person's life is immediately threatened.

B. Required Training

1. Each administrator will mandate successful completion of an approved training curriculum for all staff required to carry and use firearms as follows:
 - a. 40 hours of basic firearms training to qualify for armed assignments; and
 - b. a minimum of semiannual re-qualification training for armed positions.
2. Each administrator will mandate successful completion of an approved training curriculum for all staff who may be called upon and authorized in emergency conditions to carry firearms as follows:
 - a. a minimum of eight hours of basic firearms training; and
 - b. a minimum of annual re-qualification training.

C. Investigations

Any discharge of a firearm by a Department employee while on duty, other than for training purposes, must be immediately reported to the appropriate supervisor. An investigation will be conducted in accordance with *DOC Policy 3.1.19, Investigations*.

VI. CLOSING

Questions concerning this policy should be directed to the appropriate administrator.